

RESOLUTION NO._____, SERIES 2008

A RESOLUTION AMENDING AND REENACTING RESOLUTION 120, SERIES 2005 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT COUNCIL; AND APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO ARVATO DIGITAL SERVICES LLC, PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 24.

SPONSORED BY: Councilman David Tandy, District 4

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the Council) finds that it is a legitimate public purpose of the Louisville/Jefferson County Metro Government (“Metro”) to undertake activities for the purpose of attracting and retaining jobs for residents of this community; and

WHEREAS, the Kentucky General Assembly in 1992 enacted KRS 154.24-010 to 154.24-150 establishing the Kentucky Jobs Development Authority (“KJDA”) for the purpose of encouraging the development and expansion of the service and technology industry in Kentucky; and

WHEREAS, this program provides state inducements to businesses which locate in or remain in the Commonwealth, thus creating and preserving jobs for Kentuckians; and

WHEREAS, the program encourages local governments to participate in these inducements for businesses within their jurisdictions; and

WHEREAS, the Council finds that offering the local inducements authorized by KJDA for the purpose of attracting and retaining businesses is in furtherance of the public purposes of Metro and will benefit Metro by creating new sources of tax revenue for the support of the public services provided by Metro; and

WHEREAS, Resolution No. 120, Series 2005, was adopted on MAY 26, 2005 by the Council, and signed by the Mayor June 1, 2005; which resolution granted certain inducements pursuant to the Kentucky Jobs Development Authority to a corporation then known as Sonopress LLC (hereafter within the "Resolution"); and

WHEREAS, subsequent to the approval of the Resolution, as of December 31, 2007 **Arvato Digital Services LLC** acquired all of the assets of **Sonopress LLC**; an

Arvato Digital Services LLC continues to qualify for the local inducements authorized in the Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

Section1. That Resolution 120, Series 2005 of the Council be and it is hereby amended and reenacted to assign all the inducements thereunder to **Arvato Digital Services LLC**

Section 2: That the Council does hereby approve the granting of inducements to the following company which is undertaking a project approved pursuant to KRS 154.24-010 to KRS 154.24-150 This company is:

Arvato Digital Services LLC.

Section 3: That the State to Local participation ratio in this grant of inducements shall be 81% to 11%. The local occupational tax participation level is 1% with a minimum average salary of \$35,250 at activation.

Section 4: That the Mayor and other appropriate officers and employees of Louisville/Jefferson County Metro are authorized and directed to execute, acknowledge and deliver on behalf of Louisville/Jefferson County Metro any and all papers, instruments, certificates, affidavits and other documents; and to do and cause to be done any and all acts and things necessary or proper for the granting of the inducements authorized by the Acts and this Resolution.

Section 5: No portion of the funds derived by the company from the granting of the inducements herein shall be used by the company for any purposes designed to prevent, limit, discourage or restrict union activities within the company.

Section 6: This resolution shall be effective upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

Jim King
President of the Council

Jerry E. Abramson, Mayor

Approved: _____
Date

Approved as to Form and Legality:

Irv Maze
Jefferson County Attorney

By: _____

Arvato Digital Services LLC – KJDA - name change/assignment – 08 Apr 2008 - roc/wtw